

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 7, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Scott Sales (R)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Prudence Gildroy, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 280, 2/22/2017; SB 239, 2/22/2017; SB 255, 2/22/2017

Executive Action: HB 64 Be Concurred In; HB 148 Be Concurred In As Amended

HEARING ON SB 280

Opening Statement by Sponsor:

00:01:24 Sen. Sue Malek (D), SD 46, opened the hearing on SB 280, Generally revise DUI laws.

00:07:34 Sen. Vincent joined the meeting.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:09:20 Greg Mohr, Montana Magistrates Association (MMA)

00:09:59 Lynn Zanto, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

00:10:21 Sen. Gross

00:11:05 Sen. Malek

Additional Proponents' Testimony:

00:12:05 Rebecca Sturdevant, Mothers Against Drunk Driving (MADD), Montana Common Sense Coalition

[EXHIBIT\(jus47a01\)](#)

[EXHIBIT\(jus47a02\)](#)

00:17:08 Aaron Young, Clean Start Montana (CSM)

Additional Opponents' Testimony: None

Questions from Committee Members and Responses:

00:18:01 Sen. Sands

00:18:25 Sen. Malek

00:20:32 Sen. Sands

00:20:43 Sen. Malek

00:20:57 Sen. Swandal

00:21:15 Mr. Young, CSM

00:21:49 Sen. Swandal

00:22:16 Mr. Young

00:22:37 Sen. Swandal

00:22:57 Ms. Sturdevant, MADD

00:23:06 Sen. Swandal

00:23:08 Ms. Sturdevant

00:23:34 Sen. MacDonald

00:23:46 Mr. Young
 00:23:51 Sen. Sands
 00:24:16 Ms. Santos, MDT
 00:25:17 Sen. Sands
 00:25:25 Ms. Santos
 00:25:54 Chairman Regier
 00:26:23 Ms. Santos
 00:26:52 Chairman Regier
 00:26:54 Ms. Santos
 00:26:56 Sen. Sands
 00:27:11 Spook Stang, Motor Carriers of Montana (MCM)
 00:27:48 Chairman Regier
 00:28:01 Mr. Stang, MCM
 00:28:09 Sen. Gross
 00:28:32 Mr. Young
 00:29:18 Sen. Gross
 00:29:28 Mr. Young
 00:29:50 Sen. Hinkle
 00:30:11 Mr. Young
 00:31:02 Sen. Vincent
 00:31:30 Mr. Mohr, MMA

Closing by Sponsor:

00:32:09 Sen. Malek
 00:35:01 Sen. Sales left the meeting.

HEARING ON SB 239

Opening Statement by Sponsor:

00:35:15 Sen. Roger Webb (R), SD 23, opened the hearing on SB 239, Revise landlord and tenant act regarding abandonment of rental property.

Proponents' Testimony: None

Opponents' Testimony:

00:36:58 Amy Hall, Montana Legal Services Association (MLSA)
[EXHIBIT\(jus47a03\)](#)
 00:47:40 Katy Westhoff, Montana Public Interest Research Group
 00:48:27 Andy Bixler, Montana Associated Students
 00:49:50 Dillon Ecord, Associated Students of Montana State University
 00:50:41 Abby Bekher, Associated Students, University of Montana
 00:51:00 SK Rossi, American Civil Liberties Union

Informational Testimony:

00:52:03 Greg Mohr, Montana Magistrates Association

Questions from Committee Members and Responses:

00:52:21 Sen. Hinkle
00:52:39 Sen. Webb
00:54:12 Sen. Hinkle
00:54:43 Sen. Webb
00:55:23 Sen. Sands
00:55:48 Sen. Webb
00:57:19 Sen. Sands
00:57:26 Sen. Webb

Closing by Sponsor:

00:57:37 Sen. Webb
01:00:14 Sen. Fielder

HEARING ON SB 255

Opening Statement by Sponsor:

01:00:50 Sen. Roger Webb (R), SD 23, opened the hearing on SB 255, Revise landlord and tenant laws regarding collection of judgment against tenant.

Proponents' Testimony: None

Opponents' Testimony:

01:04:31 Greg Mohr, Montana Magistrates Association
01:07:34 Amy Hall, Montana Legal Services Association
[EXHIBIT\(jus47a04\)](#)
01:09:34 Katy Westhoff, Montana Public Interest Research Group

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:10:06 Sen. Webb
01:12:33 Recess
01:30:24 Reconvene

EXECUTIVE ACTION ON HB 64

01:30:32 **Motion:** Sen. Fielder moved that **HB 64 BE CONCURRED IN.**

Discussion:

01:30:41 Julianne Burkhardt, Legislative Services Division
 01:31:00 Sen. Vincent
 01:31:21 Sen. Fielder
 01:32:09 Sen. MacDonald
 01:32:29 Sen. Gross
 01:33:07 Sen. Vincent
 01:33:26 Sen. MacDonald

01:34:43 **Vote:** Motion carried unanimously by roll call vote. Sen. S. Sales voted by proxy. Sen. MacDonald will carry the bill.

EXECUTIVE ACTION ON HB 148

01:34:57 **Motion:** Sen. Fielder moved that **HB 148 BE CONCURRED IN.**

Discussion:

01:35:16 Julianne Burkhardt, Legislative Services Division

01:35:23 **Motion:** Sen. Swandal moved that **HB 148 BE AMENDED.**
[EXHIBIT\(jus47a05\)](#)

Discussion:

01:35:43 Sen. Swandal
 01:36:06 Sen. Gross
 01:36:15 Sen. Swandal
 01:36:30 Sen. Gross
 01:36:41 Sen. Swandal
 01:37:00 Chairman Regier

01:37:13 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

01:37:33 **Motion:** Sen. Fielder moved that **HB 148 BE CONCURRED IN AS AMENDED.**

Discussion:

01:37:40 Sen. Hinkle
 01:38:22 Sen. Swandal
 01:39:02 Sen. MacDonald
 01:40:24 Sen. Gross
 01:41:10 Sen. Sands
 01:41:41 Sen. Swandal

01:42:33 Sen. Vincent

01:43:17 Sen. Hinkle

01:45:17 **Vote:** Motion carried unanimously by roll call vote. Sen. S. Sales voted by proxy.
Sen. Swandal will carry the bill.

01:45:30 Chairman Regier

ADJOURNMENT

Adjournment: 10:46 AM

Prudence Gildroy, Secretary

pg

Additional Documents:

EXHIBIT([jus47aad.pdf](#))